

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JODI ANN HAYNES,

Defendant.

4:11CR3057

ORDER

On September 5, 2018, Defendant appeared before the court on an Amended Petition for Offender Under Supervision (Filing No. 93). The defendant was represented by John Vanderslice, Assistant Federal Public Defender, and the government was represented by Sara Fullerton, Assistant U.S. Attorney.

On the government's motion, the court afforded the defendant an opportunity for a hearing, but Defendant agreed to be detained without a hearing. Under 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6)), Defendant has the burden of proving by clear and convincing evidence that Defendant's release will not pose a flight risk or a danger to the community. Based on the information within the court's record, including the allegations within the Petition, the court finds Defendant has failed to meet the burden of proof and must be detained.

Defendant will be detained and is therefore entitled to a preliminary hearing, but Defendant voluntarily and knowingly waived that right. The court finds the Petition is supported by probable cause. Defendant must appear at a final dispositional hearing.

IT IS ORDERED:

- 1) The above-named defendant is detained pending further order of the court.
- 2) The previously filed and pending Petition alleging a violation of supervised release conditions, (Filing No. 79), is superseded and the clerk shall

terminate that Petition.

- 3) A final dispositional hearing on the Amended Petition for Offender Under Supervision (Filing No. 93) will be held before Richard G. Kopf, Senior United States District Judge, in Courtroom 2, United States Courthouse, Lincoln, Nebraska, at 12:30 p.m. on October 23, 2018. Defendant, defense counsel, and counsel for the government shall be present at the hearing.
- 4) Defendant is committed to the custody of the Attorney General for confinement in a corrections facility; Defendant shall be afforded a reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver Defendant to a United States Marshal for appearance in connection with a court proceeding.

September 5, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge